

Arguments to Support CIA Exemption

The mission of the Central Intelligence Agency exclusively relates to the field of foreign intelligence and its records fulfill that function. The Director of Central Intelligence, under the National Security Act of 1947, is responsible for the protection of Intelligence Sources and Methods from unauthorized disclosure. All systems of Agency records reveal or tend to reveal sources and methods.

Systems of records on U. S. citizens principally concern Agency employees and others having a relationship with the Agency, and involve personnel, medical, security, and other administrative records. A major objective of the bill is to grant employees access to their personnel files. The Agency now grants employees full access to their personnel files upon request, including access to evaluation data on their performance or qualifications. Other systems including U. S. citizens involve sources of foreign intelligence information. The Director of Central Intelligence is by law responsible for protecting their identity. The CIA maintains exceptionally careful control over its systems of records and access is limited to those who have a clear need for the information.

The CIA is not totally exempt from the provisions of the bill. It must adhere to the reporting requirements and must publish in the Federal Register the identity of its systems of records. All systems must be disclosed. It cannot maintain secret systems.

Add as a new subsection (l) in section 3 of the bill, and reletter existing subsections (l) and (m) in section 3 as subsections (m) and (n), respectively:

"(l) INTELLIGENCE SOURCES AND METHODS. --The provisions of this Act with the exception of subsections (b), (e)(2)(A) through (F), and (i), shall not apply to foreign intelligence information systems or to systems of personal information involving intelligence sources and methods designated for protection from unauthorized disclosure pursuant to 50 U.S.C.A. 403."

--OR--

Strike existing (j)(1) and substitute the following:

"(1) foreign intelligence information or personal information involving intelligence sources and methods designated for protection from unauthorized disclosure pursuant to 50 U.S.C.A. 403."